

FILED

UNITED STATES DISTRICT COURT 07 NOV 14 AM 11:19
SOUTHERN DISTRICT OF CALIFORNIA

ARREST ON OUT-OF-DISTRICT OFFENSE

CASE NUMBER: '07 MJ 2665

The person charged as BRUGGENWIRTH, Daniel Lee now appears before this
United States District Court for an initial appearance as a result of the following charges having been filed in the
United States District Court for the Southern District of Iowa on
09/19/07 with: Title 18 USC 3606 in violation of:

Revocation of Supervision

The charging documents and the warrant for the arrest of the defendant which was issued by the above
United States District Court are attached hereto.

I hereby swear under penalty of perjury that the foregoing is true and correct to the best of my knowledge,
information and belief.

DATED: 11/14/07

Michael Banez
CI -Deputy United States Marshal

Reviewed and Approved

DATE: 11/14/07

Charles E. Carney
Assistant United States Attorney

AO 442 (Rev. 5/93) Warrant for Arrest

FILE# 58664

UNITED STATES DISTRICT COURT

SOUTHERN

District of

IOWA

12032-030
6/22/00

UNITED STATES OF AMERICA

V.

Daniel Lee Bruggenwirth,

Case

3-98-cr-217

WARRANT FOR ARREST

RECEIVED
SEP 19 A 10:05
MARSHAL, S/NOVA

To: The United States Marshal
and any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest Daniel Lee Bruggenwirth

Name

and bring him or her forthwith to the nearest magistrate judge to answer a(n)

Indictment ☐ Information ☐ Complain ☒ Order of court Violation ☐ Probation Violation Petition

charging him or her
with

(brief description of offense)

Revocation of Supervision
(See attached petition.)

in violation of
Title

United States Code, Section(s)

D. Vance

Name of Issuing Officer

[Signature]

Signature of Issuing Officer

Deputy Clerk

Title of Issuing Officer

September 19, 2007, Des Moines, IA

Date and Location

Bail fixed at \$ Detain by John A. Jarvey, U.S. District Court Judge

Name of Judicial Officer

RETURN

DATE RECEIVED

NAME AND TITLE OF ARRESTING OFFICER

SIGNATURE OF ARRESTING OFFICER

DATE OF ARREST

AO 442 (Rev. 12/85) Warrant for Arrest

THE FOLLOWING IS FURNISHED FOR INFORMATION ONLY:

DEFENDANT'S NAME: _____

ALIAS: _____

LAST KNOWN RESIDENCE: _____

LAST KNOWN _____

PLACE OF BIRTH: _____

DATE OF BIRTH: _____

SOCIAL SECURITY NUMBER: _____

HEIGHT: _____ WEIGHT: _____

SEX: _____ RACE: _____

HAIR: _____ EYES: _____

SCARS, TATTOOS, OTHER DISTINGUISHING MARKS: _____

FBI NUMBER: _____

COMPLETE DESCRIPTION OF AUTO: _____

INVESTIGATIVE AGENCY AND ADDRESS: _____

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Prob 17C-1A
(Rev. 3/03)

**UNITED STATES DISTRICT COURT
FOR THE
SOUTHERN DISTRICT OF IOWA**

Sealed Petition for Warrant for Offender Under Supervision

Name of Offender:	Daniel Lee Bruggerwirth	Case Number:	98-217
Name of Sentencing Judicial Officer:	James E. Gritzner		
Date of Original Sentence:	April 23, 1999		
Original Offense:	T.18:922(g)(1) Felon in Possession of a Firearm T.18:922(k) - Possession of a Firearm with an Obliterated Manufacturer's Serial Number		
Original Sentence:	80 months imprisonment; 24 months supervised release		
Special Conditions:	1) Drug Testing/Treatment 2) Mental Health Evaluation/Treatment		
Date Supervision Commenced:	September 15, 2004		
Modification(s):	Residential Re-Entry Center (Added 01/01/05) Remote Alcohol Testing (Added 07/27/06) Residential Re-Entry Center (Added 07/27/06)		
Date Revoked:	September 20, 2006		
Date Supervision Recommended:	May 5, 2007		
Special Conditions:	1) Residential Re-Entry Center 2) Remote Alcohol Testing 3) Electronic Monitoring-Curfew 4) Drug Testing/Treatment 5) No Taverns 6) Employment		
Assistant U. S. Attorney:	Clifford R Cronk, III	Defense Attorney:	Federal Public Defender

PETITIONING THE COURT

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Prob 12C-IA

Petition for Warrant or Summons
for Offender Under Supervision
Page 2

X To issue a warrant

CASE SUMMARY

The offender's second term of supervised release started on May 5, 2007. Since that time, he has been at the Davenport Work Release Center. He was helping his sister at the LaQuinta Inn, however, he secured full-time employment at Greystone Manufacturing.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation

- 1) The offender shall reside, participate and follow the rules of a residential re-entry center program as directed by the Probation Officer for up to six months.
- 2) You shall work only at employment approved by the U.S. Probation Office. You shall consult the U.S. Probation Office prior to any change in employment. You shall not terminate employment without prior approval from the U.S. Probation Office.
- 3) You shall participate in a program of testing and treatment for substance abuse, as directed by the Probation Officer, until such time as you are released from the program by the Probation Office. You shall not use alcohol and/or other intoxicants during and after the course of treatment.

Nature of Non-Compliance

- a) On Friday, August 31, 2007, the offender checked out of the Davenport Residential Re-Entry (RRC) at 08:29 a.m. to work at the LaQuinta Inn and Greystone Manufacturing. He was scheduled to return at 12:30 a.m. on Saturday, September 1, 2007. At approximately 3:20 p.m. on Friday, August 31, 2007, the RRC received a phone call from Greystone Manufacturing inquiring as to the offender's whereabouts, as he had not reported to work.
- b) The RRC conducted an employment check at the LaQuinta Inn. The desk manager stated that the offender worked at the Hampton Inn. An employment check was conducted at the Hampton Inn. The head of operations of the hotel stated the offender was there for a short period in the morning, however, he had not been employed there for the past few months. An employment check was conducted at Greystone Manufacturing and the offender still had not reported to work.
- c) The offender called into the RRC on this same date at 7:45 p.m. He was informed that he needed to return to the RRC. He returned and a routine Alco-sensor test was administered and the offender had a reading of .013.

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Violation

Nature of Non-Compliance

d) The offender admitted to drinking a 24 oz. can of Budweiser beer. He reported that he left the RRC that morning and went to the Hampton Inn for a few minutes and then left. He went to an apartment that he was going to rent and then went to North Park Mall. He also reported that he went to Clinton, Iowa, and purchased a vehicle for \$400, which was the money he was going to use to rent an apartment. He was questioned about his employment at LaQuinta Inn, and stated that for the past month and a half he had been leaving the facility to go to the LaQuinta Inn, with no intentions of going there, because he wanted to take his own furloughs.

e) On September 3, 2007, the offender left the RRC at approximately 10:30 p.m. without permission and as of the date of this writing, has not returned to the facility.

U.S. Probation Officer Recommendations:

The term of supervision should be:

Revoked

I declare under penalty of perjury that the foregoing is true and correct.
Executed on September 7, 2007

Sara J. Dykstra

Sara J. Dykstra
U. S. Probation Officer
Date: September 7, 2007

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF IOWA

Petition for Warrant or Summons for Offender Under Supervision

Dated September 18, 2007

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UNITED STATES OF AMERICA,
Plaintiff,

vs.

Daniel Lee Bruggenwirth ,
Defendant.

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Cr. No.: 98-217

ORDER OF THE COURT

- [] No Action Required at this time.
[X] The Issuance of a Warrant so a revocation hearing can be held on the petition,
which shall be sealed until after execution of the Warrant.
[] The Issuance of a Summons so a hearing can be held on _____ at
_____ regarding the petition for revocation.
[] Other.


John A. Jarvey
U. S. District Judge

DATE

9/18/07